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HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

DIVISION BENCH

**CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI D.R. DESHMUKH, J.**

M.C.C. No.461 of 2006

**APPLICANT
APPELLANT**

Branch Manager,
United India Insurance Company
Limited, Near Ram Mandir Ambikapur,
Distt. Surguja (C.G.), Through : its
Divisional Manager Divisional Office,
Main Road, Korba, Distt. - Korba
(C.G.)

VERSUS

**NON-APPLICANTS
RESPONDENTS**

1. Smt. Savitri Devi widow of Santosh
Aged about 20 years, Caste - Bargah,
Occupation House wife.
2. Kumari Manisha D/o Santosh Aged
about one & half years, Minor -
through-mother-Smt Savitri Devi
Wd/o-Santoah Bargah, (respondent
no.1)
3. Nandu Ram S/o Katwar Ram Aged
about 40 years, Occupation-House
work
4. Phulmet Bai W/o Nandu Bargah aged
about 36 years, Occupation-House
work.
All are R/o Vill. Aara, P.S. Dhaurpur,
Tahsil - Rajpur, Distt. Surguja (C.G.)
5. Sukh Sai S/o Saban Panika aged
about - 22 years, caste-Panika,
occupation-Driver
6. Mohd. Yasin S/o Mohd. Jamaluddin
aged - 55 years, occupation-Farmer
Respondent no.5 and 6 are R/o vill.
Aara, P.S. - Dhaurpur, Tahsil -
Rajpur, Distt. Surguja (C.G.)

Present : Shri Dashrath Gupta, learned counsel for the applicant.

ORAL ORDER
(Passed on 6th September, 2006)

The following oral order of the Court was passed by
S.R. NAYAK, CJ .

Heard.

(2) It is submitted that producing certified copy of the order made under Section 170 (B) would not arise, because, as per the order-sheet of the MACT, it did not pass any order on the application made by the Appellant-Insurance Company under Section 170 (B) of the Motor Vehicle Act 1988. In that view of the matter, we order the MCC, set aside the default order and restore the appeal to the file.

(3) List the appeal for admission on 08-09-2006.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge